

AUG 02 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guy R. Walter and Gail P. Walter
Serial Number: 10/805,646
Date Filed: March 22, 2004
Title: Tri Valve for Backflow Preventer Assembly
Examiner: Stephen M. Hepperle
Group Art Unit: 3753

August 2, 2006

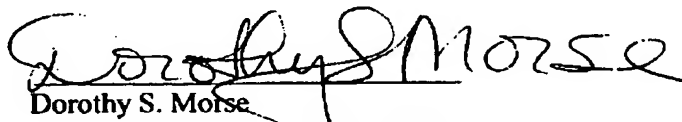
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Enclosed for filing please find a reply to an Advisory Action mailed July 28, 2006, which includes a Petition/Request under 37 CFR 1.48 and accompanying Statement of no deceptive intent signed by the added co-inventor, Declaration signed by both co-inventors, and Petition Fee of \$130. A shortened statutory period of three (3) months was set for response in a final Office Action dated June 12, 2006. Since the reply is timely filed before the September 12, 2006 due date, no extension fee under 37 CFR 1.136(a) is enclosed.

I hereby certify that this correspondence and the Petition/Request are being sent via facsimile transmission to fax number 571-273-8300 on August 2, 2006 at 545 am/pm.

Respectfully submitted on behalf of Guy R. Walter
and Gail P. Walter by:


Dorothy S. Morse
U.S. Patent and Trademark Office
Registration Number: 38,977

Post-it* Fax Note	7671	Date	8/2/06	# of pages	9
To	EX. HEPPERLE	From	DOROTHY S. MORSE		
Co./Dept.	USPTO	Co.	ATTORNEY		
Phone #	571-272-4913	Phone #	941-747-4313		
Fax #	571-273-8300	Fax #	941-748-4008		

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Serial Number: 10/805,646
Date Filed: March 22, 2004
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August 2, 2006

PETITION UNDER 37 CFR 1.48 TO CORRECT INVENTORSHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Enclosed is a reply to an Advisory Action mailed July 28, 2006, which includes a Petition under 37 CFR 1.48 with a Request to Correct Inventorship and accompanying Statement of no deceptive intent by the added co-inventor, Declaration signed by both inventors, and Petitioner Fee of \$130.00. Since a shortened statutory period of three (3) months was set for response in a final Office Action dated June 12, 2006, this reply is timely filed before the September 12, 2006 due date, and no extension fee under 37 CFR 1.136(a) is enclosed.

In the Advisory Action, the Examiner has stated that although claims 2-21 are now in condition of allowance, additional paperwork is required for the requested change in inventorship filed on July 17, 2006. The added co-inventor herein provides a signed statement that the error in inventorship occurred without deceptive intent on her part, a new declaration form signed by both inventors, and a USPTO credit card form for payment of the required \$130 fee.

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STATEMENT
BY
ADDED INVENTOR

Due to an error in inventorship in the above-named patent application when it was filed, I am now being added as a co-inventor. I hereby state that this error occurred without any deceptive intention on my part.

Gail P. Walter
Signature

08-02-06
Date

GAIL P. WALTER
Typed or Printed Name

941-745-2427
Telephone Number

6419-3RD AVENUE NE
Street Address

BRADENTON, FL 34208
City / State / Zip Code

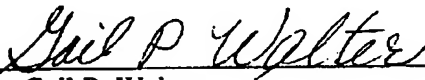
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REMARKS AND CONCLUSION

Since we believe that we have now provided information to the Examiner in the format required by the U.S. Patent & Trademark Office, and we have provided the appropriate fee payment, we respectfully request that our Request/Petition to add a co-inventor be granted and our patent application now be placed into condition of Allowance for issue as a U.S. patent.

Respectfully submitted by Guy R. Walter and Gail P. Walter, joint/co-inventors:


Guy R. Walter


Gail P. Walter

Aug-02-06 04:06P

AUG 02 2006

P.05

PTO/SB/17i (07-08)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PROCESSING FEE

Under 37 CFR 1.17(i)

TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/805,646
Filing Date	03/22/2004
First Named Inventor	GUY ROBERT WALTER
Art Unit	3753
Examiner Name	STEPHEN M. HEPPERLE
Attorney Docket Number	

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the processing fees)

☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
☐ processing fee under 37 CFR 1.17(i) ☐ any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.55 - for entry of late priority papers.

§ 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods

§ 1.99(a) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

§ 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Guy R. Walter
Signature
GUY R. WALTER
Typed or printed name

08-02-06
Date

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.